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Course 802C: Legal Aspects of Easements (Canada)

11 May 2023 Halifax, NS









Course 802C: Legal Aspects of Easements (Canada)

Course Description:

In this course, terminology and concepts are brought to life with examples and exercises. By gaining a thorough understanding of all relevant legal considerations, right of way professionals become better equipped to avoid future problems in the appraisal, acquisition and management of easements.

Topics:

- · Types of easements
- Rules of construction for easements construed against grantor, specific terms in grant
- Creation of easements; express grants; express reservations by reference; implied grant by necessity, by condemnation, by prescription
- Termination of easements, abandonment, expiration/ purpose ceases, release, merger estoppel, eminent domain, vacation
- Scope of use, exclusive vs. non-exclusive, division of dominant estate Maintenance and repair, obstructions
- Location and width, blanket easements by necessity, relocation

Course Level:

Advanced

Course Tuition Includes:

Participant's Manual PDF

*Printed materials available for an additional purchase

Who Should Take This Course:

This course is designed for experienced right of way professionals who are in need of information on the theory and rationale of easements as to avoid future problems in the appraisal, acquisition and management of easements.

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Sponsored by Chapter 65

To Register:

Submit form to Course Coordinator Email: bjboyle@gov.pe.ca

Submit form to Education Chair Email: FLeblanc@nbpower.com

Course Coordinator:

Brenda J. Boyle, SR/WA Department of Transportation and Infrastructure P.O. Box 2000

Charlottetown, PE C1A 7N8 Phone: (902) 368-6397 Email: bjboyle@gov.pe.ca **Classroom Information:**

J.W. Johnston Building 1672 Granville Street 5th Floor Room 514 Halifax, NS B3J 3N2 Phone: (902) 424-2363

Participant Capacity: 20

Suggested Accommodations:

Cambridge Suites Hotel Halifax 1583 Brunswick Street Halifax, NS B3J 3P5 Phone: 1-800-565-1263

Contact hotel directly for rates and reservations.

Course Instructor:

T. Ryan Seymour, RWA is Manager of Real Estate for the growing City of Fredericton, the capital of New Brunswick. He is responsible for the management of the City's real estate assets, including acquisition of properties for infrastructure and capital projects and disposal of surplus properties. Prior to joining the municipality, Ryan served as in-house counsel for a commercial real estate company with holdings throughout Eastern Canada, Quebec, Ontario and New England. Ryan also practiced law for 6 years at a large regional law firm, where his focus was in the areas of property and business (corporate/commercial) law. Ryan attended Queen's University Faculty of Law where he obtained a Juris Doctor degree, and also spent time at the University of Groningen in Groningen, the Netherlands, where he studied International Contract Law during his third year. Prior to law school, Ryan majored in Government and Legal Studies at Bowdoin College in the United States. Ryan is chair of the Canadian Bar Association's New Brunswick Property Law section and recently became a certified Right-of-Way Agent and CLIMB Instructor through the IRWA.

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Cancellation Policy: All classes scheduled by IRWA are subject to cancellation. All class registrants must contact the Course Coordinator prior to making travel arrangements, keeping in mind that the class may be cancelled at any time (for reasons including, but not limited to, insufficient registration, Instructor emergencies or other issues beyond the control of the chapter and/or IRWA). Fully liquidated damages for any losses incurred by a class registrant are limited solely to a refund of the registrant's prepaid class tuition. IRWA and its chapters assume no other registrant liability resulting from class cancellation.

Tuition Refund Policy: Written notification of intent to cancel registration must be received via email by both the Course Coordinator and IRWA Headquarters Education Staff (education@inwaonline.org) prior to the class start date in order to be eligible for a tuition refund. A full tuition refund will be issued if notice is received 15 days or more prior to the class start date; a 75% refund will be issued if notice is received less than 15 days prior to the class start date, and no refund will be issued for notice received on or after the class start date.